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*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

November 2, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2634

Re: U.S. Utility Patent Application
Application No. 09/590,955; Filed: June 9, 2000
For: **Phase Shifting Applications of Universal Frequency Translation**
Inventors: Johnson *et al.*
Our Ref: 1744.0710005

Sir:

Transmitted herewith for appropriate action are the following documents:

1. SKGF Cover Letter;
2. Fee Transmittal (Form PTO/SB/17);
3. Fourth Supplemental Information Disclosure Statement;
4. Form PTO-1449 with (1) accompanying document; and
5. Return postcard; and
6. PTO-2038 Credit Card Payment Form for \$180.00 to cover:
\$180.00 for Submission of Information Disclosure Statement.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
November 2, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey
Attorney for Applicants
Registration No. 44,757

JTH/agj
329599_1.DOC



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**180.00**

Complete if Known

Application Number	09/590,955
Filing Date	June 9, 2000
First Named Inventor	Martin R. Johnson
Examiner Name	Odom, Curtis B.
Art Unit	2634
Attorney Docket No.	1744.0710005

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None☐ **Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036.Deposit
Account
Number
Deposit
Account
Name

19-0036

Sterne, Kessler, Goldstein & Fox
P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	22	- 33	**= 0	X \$18.00	= \$0.00
Multiple Dependent	10	- 10	**= 0	X \$88.00	= \$0.00
				\$300.00	= \$0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	\$180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**180.00**

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Jeffrey T. Helvey	Registration No. (Attorney/Agent)	44,757	Telephone	(202) 371-2600
Signature		Date	11/2/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOHNSON *et al.*

Appl. No.: 09/590,955

Filed: June 9, 2000

For: **Phase Shifting Applications of
Universal Frequency Translation**

Confirmation No.: 2387

Art Unit: 2634

Examiner: Odom, Curtis B.

Atty. Docket: 1744.0710005

Fourth Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fourth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Third Supplemental Information Disclosure Statement filed on August 30, 2004 in connection with the above-captioned application.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AP59 and AC58 were cited in an Office Action in related U.S. Patent Application No. 09/567,977, filed May 10, 2000, entitled "Optical Down-converter Using Universal Frequency Translation," directed to related subject matter. Also cited in said Office Action were U.S. Patent No. 6,608,647, Dines, J.A.B., "Smart Pixel Optoelectronic Receiver Based on a Charge Sensitive Amplifier Design," *IEEE Journal of Selected Topics in Quantum Electronics*, IEEE, Vol. 2, No. 1, pp. 117-120 (April 1996); Simoni, A. *et al.*, "A Digital Camera for Machine Vision," *20th International Conference on Industrial Electronics, Control and Instrumentation*, IEEE, pp. 879-883 (September 1994); and Stewart, R.W. and Pfann, E., "Oversampling and sigma-delta strategies for data conversion," *Electronics & Communication Engineering Journal*, IEEE, pp. 37-47 (February 1998), which have already been cited in the present application.

Documents AH56, AI56 and AA57-AD57 were cited in an Office Action in related U.S. Patent Application No. 10/290,323, filed November 8, 2002, entitled "Method and Apparatus for DC Offset Removal in a Radio Frequency Communication Channel," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 5,483,600, which has already been cited in the present application.

Documents AE57-AG57 were cited in an Office Action in related U.S. Patent Application No. 09/632,857, filed August 4, 2000, entitled "Wireless Local Area Network (WLAN) Technology and Applications Including Techniques of Universal Frequency Translation," directed to related subject matter. Also cited in said Office

Action were U.S. Patent Nos. 5,937,013; 6,014,551; 6,073,001; 6,085,073; and 6,314,279, which have already been cited in the present application.

Documents AH57, AI57, AA58, and AB58 were cited in an Office Action in related U.S. Patent Application No. 09/986,764, filed November 9, 2001, entitled "Method and Apparatus for Reducing DC Offsets in a Communication System," directed to related subject matter.

Documents AD58-AG58 were cited in a Notice of Allowance in related U.S. Patent Application No. 09/987,193, filed November 13, 2001, entitled "Method and Apparatus for a Parallel Correlator and Applications Thereof," directed to related subject matter.

Document AH58 was cited in an Office Action in related U.S. Patent Application No. 09/632,857, filed August 4, 2000, entitled "Wireless Local Area Network (WLAN) Technology and Applications Including Techniques of Universal Frequency Translation," directed to related subject matter.

Document AI58 is a co-owned patent which is directed to related subject matter.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of **\$180.00** in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of non-English language document(s) appears below:
- ☒ 7. A copy of document AP59 is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no. _____, filed _____, in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art

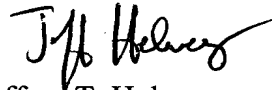
cited in the earlier prosecution histories have been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey T. Helvey
Attorney for Applicants
Registration No. 44,757

Date: 11/2/04

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(202) 371-2600

JTH/JEG/agj
328511_1.DOC



FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1744.0710005

APPLICATION NO.
09/590,955

INVENTORS
JOHNSON *et al.*

FILING DATE
June 9, 2000

ART UNIT
2634

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH56	4,441,080	04/1984	Saari			
	AI56	4,873,492	10/1989	Myer			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AN		
	AO		
	AP	<u>59</u>	Deboo, Gordon J., <i>Integrated Circuits and Semiconductor Devices</i> , 2 nd Edition, McGraw-Hill, Inc., pp. 41-45 (1977).
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1744.0710005

APPLICATION NO.
09/590,955

INVENTORS
JOHNSON *et al.*

FILING DATE
June 9, 2000

ART UNIT
2634

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA57	5,697,074	12/1997	Makikallio <i>et al.</i>			
	AB57	5,784,689	07/1998	Kobayashi			
	AC57	6,335,656 B1	01/2002	Goldfarb <i>et al.</i>			
	AD57	6,690,232 B2	02/2004	Ueno <i>et al.</i>			
	AE57	5,636,140	06/1997	Lee <i>et al.</i>			
	AF57	6,366,622 B1	04/2002	Brown <i>et al.</i>			
	AG57	6,600,795 B1	07/2003	Ohta <i>et al.</i>			
	AH57	4,250,458	02/1981	Richmond <i>et al.</i>			
	AI57	5,760,629	06/1998	Urabe <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

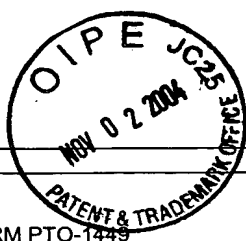
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AN		
	AO		
	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



FORM PTO-1449

FOURTH SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1744.0710005APPLICATION NO.
09/590,955INVENTORS
JOHNSON *et al.*FILING DATE
June 9, 2000ART UNIT
2634

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA58	6,084,465	07/2000	Dasgupta			
	AB58	6,204,789 B1	03/2001	Nagata			
	AC58	6,064,054	05/2000	Waczynski <i>et al.</i>			
	AD58	5,218,562	06/1993	Basehore <i>et al.</i>			
	AE58	5,239,496	08/1993	Vancraeynest			
	AF58	5,896,304	04/1999	Tiemann <i>et al.</i>			
	AG58	6,005,903	12/1999	Mendelovicz			
	AH58	5,834,979	11/1998	Yatsuka			
	AI58	6,798,351 B1	09/2004	Sorrells <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	AP		
	AQ		
	AR		

EXAMINER

DATE CONSIDERED

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